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MAILED

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In re Application of : **OFFICE OF PETITIONS**
Watson et al. :
Application No. 09/874,770 :
Patent No. 6,443,958 : DECISION ON PETITION
Filed: June 5, 2001 : PURSUANT TO 37 C.F.R.
Issue Date: September 3, 2002 : § 1.378(c)
Attorney Docket No. 80191.00002 :
Title: UMBILICAL CORD CLAMP AND :
CUTTER :
:

This is a decision on the petition filed pursuant to 37 C.F.R. § 1.378(c) on February 2, 2011, to accept the unintentionally delayed payment of a maintenance fee for the above-identified patent.

This petition pursuant to 37 C.F.R. § 1.378(c) is **GRANTED**.

The patent issued on September 3, 2002. The grace period for paying the 7½-year maintenance fee provided in 37 C.F.R. § 1.362(e) expired at midnight on September 3, 2010, with no payment received. Accordingly, the patent expired on September 3, 2010 at midnight.

A grantable petition pursuant to 37 C.F.R. § 1.378(c) must be accompanied by:

- (1) The maintenance fee as set forth in 37 C.F.R. §§ 1.362(e) and 1.20;
- (2) The surcharge for accepting a maintenance fee after expiration of a patent for non-timely payment of a maintenance fee, as set forth in 37 C.F.R. § 1.20;

- (3) A statement that the delay was unintentional from a proper party in interest, and;
- (4) The petition must be filed within 24 months of the date of expiration.

A petition pursuant to 37 C.F.R. § 1.378(b) was filed on December 13, 2010 along with the 7½ year maintenance fee and the associated surcharge. The petition was dismissed via the mailing of a decision on January 12, 2011.

With this petition, Petitioner submitted the remainder of the surcharge associated with a petition to accept late payment of a maintenance fee as unintentional (\$940) and a statement that the delay in payment of the maintenance fee was unintentional. This petition was timely filed within twenty-four months after the expiration of the six-month grace period.

Petitioner has met each of the requirements of Rule 1.378(c).

Accordingly, the maintenance fee in this case is hereby accepted and the above-identified patent is hereby reinstated as of the mail date of this decision.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225.¹ Inquiries pertaining to the submission of maintenance fees should be directed to the Maintenance Fee branch at 571-272-6500.

/Paul Shanoski/
Paul Shanoski
Senior Attorney
Office of Petitions

¹ Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.